

SUSAN H. BALL, )  
)  
*Plaintiff,* )  
)  
v. ) **No. 09 C 3668**  
)  
STANDARD INSURANCE COMPANY ) **Magistrate Judge Arlander Keys**  
and GROUP LONG TERM DISABILITY )  
INSURANCE POLICY, )  
)  
*Defendants.* )

Defendants, STANDARD INSURANCE COMPANY and GROUP LONG TERM  
DISABILITY INSURANCE POLICY (“Defendants”), by their attorney, Warren von  
Schleicher of Smith, von Schleicher & Associates, hereby submit their Motion for Entry of  
Judgment, pursuant to Fed. R. Civ. P. 52(a):

1. Defendants correctly determined that Plaintiff, Susan Ball, failed to satisfy the conditions for payment of disability benefits under the terms of the ERISA Plan.
2. Plaintiff fails to satisfy her burden of proving she continuously satisfied the Group Policy's definition of Disability from January 7, 2008 through the end of the Benefit Waiting Period on April 11, 2008.
3. Accordingly, judgment should be entered in favor of Standard and the Plan.

WHEREFORE, Defendants, STANDARD INSURANCE COMPANY and GROUP  
LONG TERM DISABILITY INSURANCE POLICY, respectfully request entry of judgment in

their favor, dismissal of Plaintiff's Complaint with prejudice, and an award of costs and attorneys' fees incurred in this action under 29 U.S.C. §1132(g).

Respectfully submitted,

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By: /s/ Warren von Schleicher  
Attorney for Defendants,  
Standard Insurance Company and  
Group Long Term Disability Insurance Policy

## **CERTIFICATE OF SERVICE**

I hereby certify that on December 19, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the attorney of record listed below:

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